

APR 14 2005

Docket No.: 1519-038

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

James Stephen EMSLIE *et al.*

Confirmation No. 2043

U.S. Patent Application No. 10/714,400

Group Art Unit: 2821

Filed: November 17, 2003

Examiner: Thuy V Tran

For: BACKLIGHTING SYSTEM FOR DISPLAY SCREEN

RESPONSE TO RESTRICTION REQUIREMENTCommissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

By Official Action mailed *February 15, 2005*, restriction to one of the following inventions is required:

- Group I: Claims 1-11, drawn to a backlighting system for a display apparatus, classified in class 362, subclass 561.
- Group II: Claims 12-20, drawn to a method of controlling the power distribution to at least a light source within a display apparatus, classified in class 315, subclass 315/308.

In response, Applicants hereby elect Group I, upon which claims 1-11 are readable.

The election was made *with traverse* because the Examiner's characterization of Group I and Group II as *unrelated* inventions is inaccurate. In particular, the Examiner alleged that the inventions of Group I and Group II are *incapable of being used together*. Applicant respectfully disagree, because the invention of Group II, i.e., a power distribution system for at least one light source (e.g., a backlight) within a display apparatus is apparently capable of being used *within* (i.e., together with) the invention of

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Group I, i.e., a backlighting system for a display apparatus.

The Restriction Requirement is further traversed because the Examiner has mischaracterized the invention of Group II as being directed to a *method* of controlling power distribution. The invention of Group II is not directed to a method; it is directed to a *system*. See the preamble of claim 12 which is representative of Group II. Applicants are, therefore, not persuaded that a proper reason for insisting on restriction has been set forth.

For any of the above reasons, the Restriction Requirement is deemed inappropriate and should therefore be withdrawn.

Early examination on the merits is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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